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THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

Written statement* submitted by the American Association of Jurists,
a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 December 1999]

* This written statement is issued, unedited, as received from the submitting non-governmetnal organization.

MILITARY MANOEUVRES IN VIEQUES, PUERTO RICO

I. The American Association of Jurists condemns and regrets the decision by the President of the United States of America, William J. Clinton, to accept the plan proposed by his Defence Secretary, William S. Cohen, that the United States Navy should continue the military manoeuvres of the Atlantic Fleet for at least a further five years in the island municipality of Vieques, Puerto Rico. No guarantee is offered that the Navy will withdraw once the period is up. It may be added that the broadest possible range of public opinion in Puerto Rican society has with one voice absolutely refused to allow another shot to be fired on the little island.

II. In 1941 the United States Navy expropriated more than 78 per cent of the territory of Vieques. Since then, its population has remained bogged down in a calamitous state of underdevelopment which, inter alia, has caused unemployment of over 60 per cent and serious environmental pollution of the air, water, land and subsoil with nitrites, lead, mercury, nitroglycerine, acetylene, uranium, napalm and many other pollutants which have given rise to an incidence of cancer 27 per cent higher than on the island of Puerto Rico. The poverty rate among the population of Vieques is an alarming 70 per cent.

III. Since the arrival of the United States Navy, its negligence has caused numerous accidents which in 1999 cost the life of a citizen of Vieques and injured another four persons; in 1998 ammunition from M-16 rifles struck lorries belonging to the municipality which were parked near a school; in 1993 five bombs of 500 pounds each were dropped in areas frequented by civilians; at the present time there are numerous unexploded munitions, bullets and bombs in various areas including the sea from which the majority of the inhabitants earn their daily living. Just to give an idea of the intensity of the operations taking place in Vieques, the population is less than 10,000 but up to 30,000 soldiers take part in the manoeuvres, while in only two weeks (October 1992) more than 20 tons of live explosives, including napalm, were dropped. Not satisfied with carrying out their own military manoeuvres in Vieques, the United States armed forces also rent the areas they occupy to other countries for military exercises.

IV. The Navy occupies the most fertile land, preventing it from being used for farming, as well as the best coastal areas, thus preventing them from being developed for tourism, with the further aggravation of the pollution caused. The shortest transport routes between Vieques and the island of Puerto Rico have been cordoned off by the Navy, which makes transport to Puerto Rico more difficult and more expensive, although that is where the inhabitants of Vieques have to go for basic services such as medical and hospital care and university education. Such are the Navy's pretensions that it has tried on many occasions to clear the island of its inhabitants and occupy it in its entirety.

V. The American Association of Jurists finds such behaviour and the facts briefly summarized here reprehensible and a violation of the most elementary human rights that the United States constantly claims to protect, such as:

(a) The right to self-determination, the economic, social and cultural development of peoples, the right to the sovereignty of peoples over their natural resources, the right to life, to health and a healthy environment in order to achieve better living conditions (Charter of the United Nations, Preamble, articles 1, 55 and 56, Chapters XI and XII; Vienna Declaration of 1993).

(b) The right to life, liberty and security of person, the right to protection against cruel, inhuman or degrading treatment, the right to the realization of the economic, social and cultural rights indispensable for an individual's dignity and the free development of his personality, the right to work, to just and favourable conditions of work and to protection against unemployment, the right to an adequate standard of health, living, well-being and housing, the right to education and the right to a social and international order in which the rights and freedoms proclaimed can be fully realized (Universal Declaration of Human Rights, articles 2, 3, 4, 22, 23, 25, 26 and 28).

(c) The right of self-determination, the right to economic, social and cultural development, the right of peoples to freely dispose of their natural wealth and resources and that a people should not be deprived of its own means of subsistence, these rights being specifically guaranteed to Non-Self-Governing and Trust Territories (International Covenant on Economic, Social and Cultural Rights, article 1, binding on the United States of America as from 8 September 1992).

(d) The duty of colonial powers to dismantle the military bases installed in colonial Territories and to refrain from establishing new ones since they constitute a major obstacle to the liberation of the people of the Territory and one of the most serious obstacles to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the right of all peoples to freely dispose of their natural wealth and resources and the integrity of their national territory (United Nations General Assembly resolutions 2105 (XX), 2023 (XX) and 1514 (XV)).

(e) The right to live in a healthy environment and the right that States should promote the protection, preservation and improvement of the environment ("Protocol of San Salvador" to the American Convention on Human Rights, article 11 and the Rio Declaration on Environment and Development of 1992).

The American Association of Jurists therefore

1. Requests international cooperation and solidarity with the people of Puerto Rico in order to bring about the final withdrawal of all military personnel present.

2. Urges the Government of the United States of America to respect the desire clearly expressed by the people of Puerto Rico and to unconditionally vacate the island of

Vieques, put an end to the military exercises and manoeuvres of its armed forces on the island municipality of Vieques, Puerto Rico, return all occupied land to the people of Puerto Rico and decontaminate and clean up all land and water used in the military exercises and manoeuvres.

3. Further urges the Government of the United States of America to comply with the 18 resolutions and decisions adopted by the United Nations Special Committee on Decolonization in the case of Puerto Rico and respect the right of the people of Puerto Rico to self-determination and independence pursuant to General Assembly resolution 1514 (XV).